

Notice to Comply	Application No. 09/668,724	Applicant(s) Srivastava					
	Examiner Peter Reddig	Art Unit 1642					
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES							
<p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p> <p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p>							
<p><input checked="" type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).</p> <p><input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).</p> <p><input type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).</p> <p><input type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."</p> <p><input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).</p> <p><input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).</p> <p><input checked="" type="checkbox"/> 7. Other: The disclosure is lacking numerous sequence identifiers and sequence ID numbers, see the section titled "Sequence Listing" in the accompanying First Office Action on the Merits.</p>							
<p>Applicant Must Provide:</p> <p><input checked="" type="checkbox"/> An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".</p> <p><input checked="" type="checkbox"/> An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.</p> <p><input checked="" type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).</p>							
<p>For questions regarding compliance to these requirements, please contact:</p> <p>For Rules Interpretation, call (703) 308-4216 or (703) 308-2923</p> <p>For CRF Submission Help, call (703) 308-4212 or 308-2923</p> <p>PatentIn Software Program Support</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Technical Assistance.....</td> <td style="width: 60%;">703-287-0200</td> </tr> <tr> <td>To Purchase PatentIn Software.....</td> <td>703-306-2600</td> </tr> </table> <p>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</p>				Technical Assistance.....	703-287-0200	To Purchase PatentIn Software.....	703-306-2600
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APPLICATION NO./CONTROL NO. 09/668,724	FILING DATE 09/22/2000	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION Pramod K. Srivastava	ATTORNEY DOCKET NO. 8449-128-999
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EXAMINER

Peter Reddig, Ph.D.

ART UNIT

PAPER

1642

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below or on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Figures 7A disclose the polypeptide SEQ ID NO: 4 which does not corresponds to the polynucleotide sequence for SEQ ID NO: 4 in the sequence listing. Hence, the disclosure fails to comply with the requirements of 37 CFR 1.821 through 1.825. In the absence of a sequence identifier for each sequence, Applicant must provide a computer readable form (CRF) copy of the sequence listing, an initial or substitute paper copy of the sequence listing, as well as any amendment directing its entry into the specification, and a statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by matter, as required by 37 CFR 1.821(e-f) or 1.825(b) or 1.825(d).

If a complete reply has not been submitted by the time period set in the accompanying Office action has expired, this application will become abandoned under 37 CFR 1.821(g).

Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the

attached Notice to Comply with the reply.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>),
EFS Submission User Manual-ePAVE)

2. Mailed to

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P.O. Box 22313-1450

Alexandria, VA 22313-1450

3. Hand Carry, Federal Express, United Parcel Service or other delivery service to:

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Reddig whose telephone number is 571-272-9031. The examiner can normally be reached on M-F 8:30 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shanon Foley can be reached at 571-272-0898.

Peter Reddig, Ph.D.
Art Unit 1642